

30.09.2022

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Allowed

C.R.M. (NDPS) No. 1164 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kulti Police Station Case No. 548 of 2022 dated 27.08.2022 under Sections 20(b)(ii)(B) of the NDPS Act.

And

In Re : Tara Paswan petitioner

Mr. Kunal Ganguly
Mr. Tirupati Mukherjee

.....for the petitioner

Mr. Ranadeb Sengupta

.....for the State

Learned Counsel appearing for the petitioner submits she is in custody for 35 days. She prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

Allegation relates to recovery of 7.4 Kg. of Ganja which is below commercial quantity. Keeping in mind the aforesaid fact, we are inclined in granting bail to the petitioner.

Accordingly we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Paschim Bardhaman, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail in accordance with law without further reference to this Court.

The application for bail is, accordingly, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)